

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

REBECCA ANNE DALTON,

Plaintiff,

v.

KROGER TEXAS LP,

Defendant.

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Civil Action No. 4:22-cv-00865

Judge Mazzant/Judge Davis

MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 16, 2025, the Magistrate Judge entered a Report and Recommendation (Dkt. #95) that Defendant Kroger Texas LP's Motion for Summary Judgment (Dkt. #85) be granted. On May 30, 2025, Plaintiff filed Objections (Dkt. #96) to the Report.

The Court has conducted a *de novo* review of the Objections and is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the Objections are without merit as to the ultimate findings of the Magistrate Judge. Accordingly, the Objections (Dkt. #96) are **OVERRULED** and the Magistrate Judge's Report is **ADOPTED** as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendant Kroger Texas LP's Motion for Summary Judgment (Dkt. #85) is hereby **GRANTED**.

It is **FURTHER ORDERED** that Plaintiff Dalton's claims against Defendant Kroger Texas LP are **DISMISSED WITH PREJUDICE**.

All relief not previously granted is **DENIED**.

IT IS SO ORDERED.

SIGNED this 3rd day of July, 2025.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE